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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RUDOLPH THOMAS, Individually and on  
behalf of all others similarly situated, ) No. 08-cv-05119 TEH  
Plaintiff, ) STIPULATION RE FILING OF FIRST  
v. ) AMENDED CLASS ACTION  
SPRINT SOLUTIONS, INC. dba SPRINT, ) COMPLAINT FOR DAMAGES AND  
SPRINT PCS and/or NEXTEL, ) INJUNCTIVE RELIEF  
Defendant. ) ACTION FILED: April 4, 2007

1           WHEREAS Plaintiff filed the complaint in this action on November 10, 2008;  
2           WHEREAS on January 14, 2009, Defendant answered the complaint;  
3           WHEREAS on July 28, 2009, Defendant moved to stay this case, which Plaintiff opposed;  
4           WHEREAS on September 2, 2009, this Court issued an Order Granting in Part and  
5 Denying in Part Motion to Stay Case;

6           WHEREAS on January 15, 2010, Plaintiff provided Defendant with a proposed First  
7 Amended Class Action Complaint for Damages and Injunctive Relief;

8           WHEREAS in the interests of efficiency and pursuant to Federal Rule of Civil Procedure  
9 15(a)(2), Defendant hereby stipulates to the filing of the First Amended Class Action Complaint  
10 for Damages and Injunctive Relief, but reserves all rights to raise any defenses to this pleading via  
11 motion to dismiss or otherwise;

12           NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the  
13 undersigned counsel for Plaintiff and counsel for Defendant that:

14           1.       Concurrently with the filing of this stipulation, Plaintiff will file with the Court the  
15 First Amended Class Action Complaint for Damages and Injunctive Relief;

16           2.       The First Amended Class Action Complaint for Damages and Injunctive Relief is  
17 stayed pursuant to the Court's September 2, 2009 Order, except to the extent it is based on  
18 allegations that Sprint, unfairly, deceptively or unlawfully failed to disclose the late fees or  
19 impairment fees charged to customers. This stipulation is without prejudice to each party's right to  
20 present argument to the Court regarding the precise scope of the stay as it relates to new or  
21 amended allegations in the First Amended Complaint.

22           3.       The deadline for Defendant to move to dismiss or otherwise respond to the First  
23 Amended Class Action Complaint for Damages and Injunctive Relief will be Monday, March 1,  
24 2010; and

4. If Defendant moves to dismiss the First Amended Class Action Complaint for Damages and Injunctive Relief, it shall notice the hearing date for such a motion on or before Monday, April 5, 2010.

DATED this 27th day of January, 2010.

## HAGENS BERMAN SOBOL SHAPIRO LLP

By \_\_\_\_\_ /s/ Jeff D. Friedman  
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15 SPRINT SOLUTIONS, INC.

16 I, Jeff D. Friedman, am the ECF User whose ID and password are being used to file this  
17 STIPULATION RE FILING OF FIRST AMENDED CLASS ACTION COMPLAINT FOR  
18 DAMAGES AND INJUNCTIVE RELIEF. In compliance with General Order 45, X.B., I hereby  
19 attest that Fred R. Puglisi has concurred in this filing.

